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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,586	10/10/2003	William C. Quan	BOE 0439 PA	2585
27256	7590	09/28/2005	EXAMINER	
ARTZ & ARTZ, P.C. 28333 TELEGRAPH RD. SUITE 250 SOUTHFIELD, MI 48034			SUKMAN, GABRIEL S	
			ART UNIT	PAPER NUMBER
			3641	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,586

Applicant(s)

QUAN ET AL.

Examiner

Gabriel S. Sukman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 15-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Claims 15-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 21 July 2005.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 8, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by the 2000 Cessna Citation X, offered for sale by the O’Gara Aviation Company on 3 August 2002 (source: www.archive.org; http://web.archive.org/web/20020803172317/www.ogarajets.com/aircraft_for_sale/HS700_257213/photos.htm).

The offer discloses all of the limitations of claims 1. The Cessna shown in the online offer shows a seating arrangement that comprises a first and second set of passenger seats facing opposing directions. The sets of seats are closely adjacent and form a conferencing area (see photograph associated with caption that begins, “Chairs

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are upholstered in light taupe leather," hereinafter, "photo 1"). Further disclosed is a cabinet positioned between the first and second seats of seats, and is shown with a foldout table in the photograph accompanying the caption that begins, "The cabin entertainment system features individual Rosen flat-plate monitors," hereinafter, "photo 2."

Claim 2 is clearly anticipated by the Cessna offer since video monitors are disclosed in the cabinet as shown in both photos 1 and 2.

Claim 3 is anticipated as well since the monitor *is capable of* being raised for viewing and lowered for storage.

The limitations of claim 4 are disclosed in photo 2, which shows a table connected to the cabinet.

Claim 5 is anticipated by the offer as well, since it is clear that the table is shown in the stored position in photo 1 and is rotated out to the deployed position in photo 2.

Claims 7 and 8 are anticipated by the Cessna since the table is seen as having two portions connected by a hinge and is capable of being deployed in a partial condition.

Claims 13 and 14 are anticipated by the Cessna as well since, as disclosed in the specifications sheet, the chairs are taught to be fully articulable and berthable, and therefore are capable of forming a combined substantially flat sleeper surface and the bottom portion can flip up.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer in view of U.S. Patent Application Publication No. US 2002/0070314 A1 to Schmidt-Schaeffer (hereinafter referred to as "Schmidt").

The Cessna in the online offer discloses all of the limitations of claims 11 and 12, as described above, except for teaching a gate member attached to at least one of the seat sets and forming an enclosure. However, Schmidt discloses an aircraft passenger seat that includes a gate member or partition and is taught to provide screening or shielding of the legs for privacy (see paragraph [0031]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to install a gate member or partition on the sides of at least one of the sets of passenger seats in the Cessna in the online offer in order to provide more privacy to the passengers in the conferencing area.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer in view of U.S. Patent No. 6,857,700 to Eastman et al.

The Cessna offer discloses all of the limitations of claim 10, as discussed above, except for teaching the placement of a child booster seat upon the seats in the airplane. But the idea of providing a child seat in an airplane is well known in the art and is an

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absolute necessity when traveling in vehicles with children, as is taught by Eastman. It therefore would have been obvious to one having ordinary skill in the art at the time the invention was made to install the child seat of Eastman, which is explicitly taught for use on airplanes (see col. 5, lines 5-7), on a seat in the Cessna in order to provide the necessary restraint and safety to children, as parents have come to understand as a necessary means.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Cessna offer.

The Cessna offer discloses all of the limitations of claims 6 and 9 except for explicitly disclosing a slidably attached leg member on the table. However, providing a support member such as a leg on a table when the expected loads applied exceed a certain threshold is a matter of routine skill in the art and is an old and well known method of providing increased strength in tables. Therefore, it would have been obvious to one having ordinary skill in the art to supply a sliding leg member to the table shown in the Cessna offer in order to provide additional support if it were deemed that there would be loads applied to the table that would exceed its natural capabilities since the addition of a leg member and providing for adjustability and compactness for storage is a well known solution in the art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,155,519 to Rajasingham

U.S. Patent No. 2,953,103 to Bohannon et al.

Falcon 900: <http://www.jetaviation.com/charterusa/charterusa-falcon900.php>

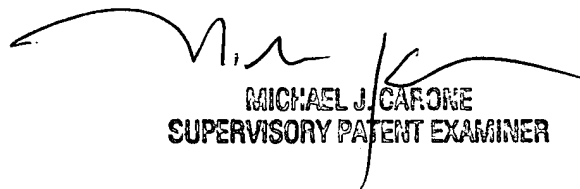
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel S. Sukman whose telephone number is (571) 272-6883. The examiner can normally be reached on M-F, 8:30-6:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone can be reached on (571) 272-6873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER